

**MINUTES OF THE
GREENSBORO ZONING COMMISSION
JUNE 12, 2006**

REGULAR MEETING

A regular meeting of the Greensboro Zoning Commission was held on Monday, June 12, 2006 at 2:00 p.m., in the City Council Chambers, Second Floor, Melvin Municipal Office Building. Members present were Chair Gary Wolf, Tony Collins, Paul Gilmer, Zack Matheny, Bill Schneider, Portia Shipman, Susan Spangler and Kevin Wright. The Planning Department was represented by Dick Hails, Planning Director, and Bill Ruska, Zoning Administrator, and Ben Woody. Blair Carr, Esq., represented the City Attorney's office. Carrie Reeves represented the Department of Transportation (GDOT).

Chair Wolf welcomed everyone to the Zoning Commission regular monthly meeting. He explained the procedures of the meeting and how any appeals may be made as to any Commission decision.

APPROVAL OF THE MINUTES OF THE MAY 8, 2006 REGULAR MEETING.

Ms. Shipman moved approval of the May 8, 2005 minutes as written, seconded by Mr. Collins. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

PUBLIC HEARINGS:

OLD BUSINESS:

- A. AN ORDINANCE ESTABLISHING ORIGINAL ZONING FROM COUNTY ZONING AGRICULTURAL TO CITY ZONING CONDITIONAL DISTRICT – RM-8 RESIDENTIAL MULTIFAMILY WITH THE FOLLOWING CONDITIONS: 1) USES LIMITED TO TOWNHOUSES OR CONDOMINIUMS FOR SALE. 2) NO STRUCTURE SHALL EXCEED 3 ABOVE GROUND STORIES IN HEIGHT. - FOR A PORTION OF THE PROPERTY LOCATED ON THE NORTHWEST SIDE OF LAKE JEANETTE ROAD BETWEEN ROBERSON COMER ROAD AND BASS CHAPEL ROAD – FOR ESTATE OF GERALD L. OWEN. (CONTINUED FROM MAY 8, 2006 MEETING). (RECOMMENDED)**

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Robert Byrd, 5811 Fleming Terrace Road, said he had purchased this property since making this request. When conferring with staff about annexation and changing in zoning, he decided the proposed zoning would be best suited for this property since it backs up to the same type of zoning.

There was no one else wishing to speak to this request. Chair Wolf closed the public hearing.

Mr. Ruska said this request was in the Tier 1 Growth Area. It is a donut hole that is completely surrounded by City limits. The zoning proposed is compatible with what exists to the north and to the east. It is consistent with the moderate residential zoning classification on the GFLUM. The Planning staff recommends approval of this request.

Mr. Gilmer said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on Lake Jeanette Road from County AG to City CD-RM-8, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Moderate Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it promotes compact development (Policy 4G.1); and it promotes mixed-income neighborhoods (Policy 6A.2). Mr. Shipman seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

NEW BUSINESS:

A. AN ORDINANCE REZONING FROM RS-9 RESIDENTIAL SINGLE FAMILY TO CONDITIONAL DISTRICT – NEIGHBORHOOD BUSINESS WITH THE FOLLOWING CONDITION: 1) FREESTANDING SIGNAGE SHALL BE PROHIBITED. - FOR A PORTION OF THE PROPERTY LOCATED AT THE SOUTHEAST QUADRANT OF MERRITT DRIVE AND GREEN POINT DRIVE – FOR TY KIM HOANG. (APPROVED)

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Terrie Parrish, PO Box 14922, Greensboro 27415 said she was a volunteer translator. She was here on behalf of Ms. Antonio Gonzales, who is leasing property located at 2101 Merritt Drive and their Progressive Produce where she sells fruits, vegetables, canned goods. Ms. Gonzales was under the assumption that everything was correct. She did obtain a license from the City of Greensboro and now she has found out that she is not in a zoning district that is considered commercial. Unknowingly to her and following somebody's advice, she came and filled out a petition as a user and, in essence, she was very confused. She does not want any trouble and she feels that if this is not going to be approved under a commercial zone, then she will just change shops and go somewhere else.

In response to a question from Mr. Collins, Ms. Parrish said Ty Kim Hoang was the property owner and was present. He said earlier they had been talking about a different use. Now what they are trying to do is clarify what is an existing use.

Speaking in opposition to the request was Larry Lance, 4100 Green Point Drive. He opposed the request due to trash, no parking, opposed to commercial, and unsafe situation for children at school bus stop.

Also speaking in opposition was Larry Faircloth, 1924 Merritt Drive. He opposed the request due to unsanitary conditions from the store and the parking lot is used for mechanics. He felt the store was a detriment to the neighborhood and lowered property values of nearby homes.

In rebuttal for the applicant, Ms. Parrish said Ms. Gonzales just wanted to clarify that she does not have an ABC permit and she does not sell beer on the premises.

In response to question from Mr. Collins, Ms. Parrish said Ms. Gonzales said she had no problem with any neighbors.

The opponents did not want to use their rebuttal time. Chair Wolf closed the public hearing.

Mr. Hails said staff certainly recognize that quality of life issues and so on are of concern to surrounding neighbors, but the rezoning process tries to focus on the compatibility of the uses being proposed there. He thought the fact that a commercial activity has been operating a small scale at this location for many years is a consideration of the staff. In addition, the Comp Plan shows high residential use here. Neighborhood-serving commercial areas are supportive of and permitted in residentially designated areas in the Comp Plan so staff feels that the basic use is supported by the current Comp Plan. He thought the brand new thing for the homeowner is they have agreed to apply for the neighborhood business zoning itself. As you see in the staff report, there is a long list of restrictions on the use of the property, including that all off-street parking must be located to the rear of the building. So the existing situation and some of the situations described he thought were going to have to be modified for them to make use of the premises for commercial, if this zoning is approved. There are other restrictions on lighting, hours of operation and so on that are not currently applying to the property. Before staff could approve a site plan and a legal use on the property, they would have to verify that these conditions are being met. Violations of other ordinances of the City, such as overgrown lots and trash and the like are subject to complaints and investigation by the Police Department and other departments and that will continue to be the case, so we are not relying from the staff view on those issues, although they are concerns to neighbors. As such, because the neighborhood-serving commercial use compatible with high residential designated on the plan and the design restrictions imposed by the neighborhood business district request, staff is recommending approval of the request.

Ms. Shipman said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located at the southeast quadrant of Merritt Drive and Green Point Drive from RS-9 to CD-RM-8, to be consistent with the adopted Connections 2025 Comprehensive plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the High Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it encourages "home-grown" and community-based businesses and entrepreneurs with special emphasis on minority-owned businesses; and the NB zoning classification implements measures to protect neighborhoods from potential negative impacts of developments (Policy 6A.4). Mr. Gilmer seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

B. AN ORDINANCE ESTABLISHING ORIGINAL ZONING FROM COUNTY ZONING RS-40 RESIDENTIAL SINGLE FAMILY TO CITY ZONING CONDITIONAL DISTRICT – RM-18 RESIDENTIAL MULTIFAMILY WITH THE FOLLOWING CONDITION: 1) USES: RESIDENTIAL MULTIFAMILY AND ACCESSORY STRUCTURES ONLY. - FOR A PORTION OF THE PROPERTY LOCATED ON THE EAST SIDE OF PLEASANT GARDEN ROAD BETWEEN LOGANDALE COURT AND US 421 SOUTH – FOR MARY M. WELLS. (RECOMMENDED)

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Seth Coker, 305 Glenwood Avenue, handed up materials for the Commission's consideration. He then went through the handout and explained each document. He said there was a neighborhood meeting held. As a result of that meeting, they divided the property and decided to file two separate applications, the 18-acre piece filed for multifamily and along Logandale Court on the 4-acre piece filing for single family homes. Another neighborhood meeting was held and it was apparent the neighbors wanted an increase in the multifamily homes and not having so many single family homes

along Logandale Court. Therefore, tract B, which was the single family homes, will come back to the Commission as part of tract A, the multifamily homes. Almost the entire tract B will come back next time as the buffering requirements for the neighbors. There will be a 300+ unit complex with many amenities, which he listed. They will save the historic Logan-Anthony House and it will be utilized as their clubhouse. He gave reasons why he felt the request should be granted.

Speaking in opposition to the request, Raymond Carney, 1020 Village Drive, Jamestown, said he was concerned about the water supply because the folks on Logandale were all on wells.

Mr. Hails said the proposed development would not be on well and septic so there would not be any added tap on the ground water as a result of the project, but there would be disturbance of the land and some modification of the runoff going on in the area. His experience with large lots like that along Logandale is that most are already experiencing well problems. It would be fairly unusual to have that disrupt the water table there, but he did not think anyone could write a guarantee on that.

Chair Wolf closed the public hearing.

Mr. Hails said there were a number of things in the staff report that note support for the proposal. When the commercial rezoning came before the Commission several months back, staff thought it potentially could fit in with the mixed use-residential pattern indicated in the Comp Plan. This is an area that has not had mixed use traditionally, but is very near a job center immediately west of this, very popular and staff feels it is appropriate to have some different housing types and commercial in close proximity to that job center. There are several other policies with which this development complies. They are pleased to hear about some of the plans for the site, including the preservation of the historic house on the site. Since the applicant has opted not to tie those to the rezoning by adding conditions to the request, then those positive statements are illustrative in nature. Because staff feels it is overall good compatibility and consistency with the Comp Plan on the site, multifamily next to single family, if the zoning does not go through next time, it would require a landscape buffer or preservation of some buffer so they hope the surrounding area is protected as well with reasonable compatibility. Staff recommends approval of the request.

Mr. Matheny said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the east side of Pleasant Garden Road from County RS-40 to City CD-RM-18, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Mixed Use Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it links approvals of annexation petitions to water/sewer extension policies regarding designated growth areas ; and it promotes mixed income neighborhoods. Mr. Gilmer seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

C. AN ORDINANCE ESTABLISHING ORIGINAL ZONING FROM COUNTY ZONING RS-40 RESIDENTIAL SINGLE FAMILY TO CITY ZONING CONDITIONAL DISTRICT – RS-5 RESIDENTIAL SINGLE FAMILY WITH THE FOLLOWING CONDITION: 1) USES: RESIDENTIAL SINGLE FAMILY AND ACCESSORY STRUCTURES ONLY. - FOR A PORTION OF THE PROPERTY LOCATED ON THE NORTH SIDE OF LOGANDALE COURT EAST OF PLEASANT GARDEN ROAD – FOR MARY M. WELLS. (WITHDRAWN)

Mr. Coker said this request is being withdrawn and will be refiled for multifamily development.

Ms. Shipman moved that the withdrawal of this request be approved, seconded by Mr. Schneider.

The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright, Nays: None.)

D. AN ORDINANCE REZONING FROM RS-40 RESIDENTIAL SINGLE FAMILY TO CONDITIONAL DISTRICT – LIGHT INDUSTRIAL WITH THE FOLLOWING CONDITIONS: 1) USES: ALL THOSE USES PROVIDED FOR IN THE LI DISTRICT WILL BE PERMITTED EXCEPT FOR THE FOLLOWING: AGRICULTURAL USES; AUTOMOBILE REPAIR SERVICES, MAJOR; AUTOMOBILE REPAIR SERVICES, MINOR; CAR WASHES; RESIDENTIAL USES; AND JUNK MOTOR VEHICLES. 2) TRANSPORTATION IMPROVEMENTS IDENTIFIED IN THE TRANSPORTATION IMPACT STUDY SUBMITTED IN CONNECTION WITH THIS REQUEST AND FOUND BY THE GREENSBORO DEPARTMENT OF TRANSPORTATION TO BE NECESSARY, AFTER A SITE PLAN IS DEVELOPED AND APPROVED BY THE CITY'S TECHNICAL REVIEW COMMITTEE, WILL BE MADE BY THE DEVELOPER OF THE PROPERTY. - FOR A PORTION OF THE PROPERTY LOCATED ON THE EAST SIDE OF PLEASANT RIDGE ROAD BETWEEN WEST MARKET STREET AND CUDE ROAD – FOR JOHN T. LAMB, ET AL. (APPROVED)

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Charlie Melvin, Esq., 300 North Greene Street, represented Liberty Property Trust, the applicant in this request. First, he said he would like initially to request a withdrawal of a portion of the request. As Mr. Ruska indicated, this was an assemblage of three parcels of land. The northernmost parcel is owned by Mr. and Mrs. Phillip Brande and the northernmost portion of the property would be the last to be developed by Liberty. Because Liberty is unable to forecast for Mr. and Mrs. Brande with any degree of certainty exactly when that would be and it would be sometime in the future, Mr. and Mrs. Brande have asked and Liberty has agreed that they request a withdrawal of that northernmost part. It is approximately 10 acres and it would leave the balance of the request at approximately 54.754 acres. So they would request withdrawal of the northernmost portion as shown on the map, and Mr. Ruska has been furnished legal descriptions and maps for his files.

Mr. Schneider moved to withdraw the northernmost portion of this request, seconded by Ms. Shipman. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

Mr. Melvin said some significant parts of this particular property are it is immediately contiguous to the U.S. Bulk Mail facility. He felt the Light Industrial development in this area is exactly the type of development that they had hoped to encourage. They hope to work with the FAA to relocate some of their access and utilities, but Liberty plans to develop in a manner that will be consistent with it remaining as it presently is. Development is consistent with the 2025 GFLUM and also it is consistent with the economic goals established by the 2025 Comp Plan in providing opportunity for jobs. It is very close to the Piedmont Triad International Airport. Ted Johnson tells him that the FedEx facility is on track or maybe even a little ahead of track and so it appears that it should be operational no later than 2009. It is felt that the warehouse distribution-type facility planned by Liberty there and the proximity of this property to the airport is very consistent with that. A Transportation Impact Study was performed and concluded it would be only a minor impact on Hwy 68 and Pleasant Ridge Road, as well as West Market Street. Liberty sent out a letter to each of the parties that received a notice from the City of this rezoning with some information about the rezoning. A request was made for any landowner to call with any questions and indicated a

willingness to meet with them. He was told that only one call was received and it was an inquiry about additional information. Mr. Ruska indicated that staff had not received any calls.

Massey Flippin, Vice President and Manager of North Carolina Region for Liberty, 5111 Bodie Lane, presented a very brief power point presentation, giving a quick update on Liberty and what they have done locally. For informational purposes, he showed the type of product they intend to develop on this site, along with a brief conceptual site plan.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said this request is strongly supported by our Comp Plan, ranging from the GFLUM designation of Industrial Corporate Park on this site to numerous economic development goals such as ensuring an adequate supply of land for economic development and the like. In terms of the context, there is much transition going on here. All of the recent rezonings in the area in recent years have been to the LI zoning. As you can see from the photographs, it is a very good site for business development, good location, flat site and so on, and staff strongly recommends approval of the request.

Mr. Schneider said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the east side of Pleasant Ridge Road from RS-40 to CD-LI, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Industrial/Corporate Park land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it promotes a healthy, diversified economy with a strong tax base and opportunities for employment; and it ensures that land use policies and regulations allow for an adequate supply of land to accommodate economic development. Mr. Gilmer seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

E. AN ORDINANCE REZONING FROM PUBLIC AND INSTITUTIONAL TO CONDITIONAL DISTRICT – GENERAL OFFICE MODERATE INTENSITY WITH THE FOLLOWING CONDITIONS: 1) USE LIMITED TO: MEDICAL OFFICES; PROFESSIONAL OFFICES; FINANCIAL OFFICES; BANKS, SAVINGS AND LOANS, OR CREDIT UNIONS WITH DRIVE-THRU. 2) BANKS, SAVINGS AND LOANS, OR CREDIT UNIONS SHALL NOT BE A FREESTANDING BUILDING. - FOR A PORTION OF THE PROPERTY LOCATED ON THE EAST SIDE OF CHURCH STREET BETWEEN EAST NORTHWOOD STREET AND TANKERSLEY DRIVE – FOR JAMES F. MARSHALL. (APPROVED)

Mr. Woody presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

James F. Marshall, Developer and Owner of Church Street Medical, said they had finished Phase 1 of Church Street Medical, which is a 70,000 square foot medical office facility. They are presently under construction with Phase 2, which will be a 50,000 square foot, two-story medical facility. Phase 3 will be a 35,000 square foot medical and professional office facility. One thing PI zoning does not do is it does not accommodate additional services other than medical. They had been asked by their current tenancy and other tenants who are moving into their second building that they would like to have other types of facilities, such as banking facilities, close by. That would also benefit the surrounding area, which is just about 100 percent medical. As Mr. Woody pointed out,

they have placed conditions on this, which limits the use specifically to medical, professional and financial services.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said the GFLUM of the Comp Plan shows institutional use on this site. That could be accomplished through a variety of zoning districts, including the current zoning of PI or the proposed zoning of GO-M so staff feels it is definitely consistent with the request. This rezoning also supports other policies set forth in the plan. Staff recommends approval of the request.

Ms. Shipman said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the east side of Church Street from PI to CD-GO-M, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the institutional land use category indicated for this site on the Connections 2025 Generalized future Land Use Map; it promotes a healthy diversified economy with a strong tax base and opportunities for employment (Economic Development Goal); and it ensures that land use policies and regulations allow for an adequate supply of land to accommodate economic development (Policy 7C.) Mr. Wright seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

F. AN ORDINANCE REZONING FROM RS-40 RESIDENTIAL SINGLE FAMILY TO CONDITIONAL DISTRICT – LIGHT INDUSTRIAL WITH THE FOLLOWING CONDITIONS: 1) USES: ALL PERMITTED USES IN THE LI ZONING DISTRICT. 2) BUILDING SETBACKS SHALL BE A MINIMUM OF 50 FEET FROM PLEASANT RIDGE ROAD. 3) SIGNAGE SHALL BE AS CORPORATE PARK REQUIREMENTS. 4) A STREET PLANTING YARD OF 15 FEET MINIMUM SHALL BE PROVIDED ALONG PLEASANT RIDGE ROAD. - FOR A PORTION OF THE PROPERTY LOCATED ON THE EAST SIDE OF PLEASANT RIDGE ROAD BETWEEN WEST MARKET STREET AND CUDE ROAD – FOR S & S BRICK PAVING AND LAWN MAINTENANCE, INC. (APPROVED)

Mr. Woody presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Don Vaughan, Esq., 612 West Friendly Avenue, represented the applicant. He stated that Pleasant Ridge Road is changing. They contacted all adjacent property owners and everyone agrees that this is a good change and is consistent with all the City's policies.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said this is consistent with the Comp Plan in numerous regards. It is also consistent with the Airport Area Plan adopted in 2002, which shows non-residential uses such as this for the site. It is consistent with the recent rezonings in the area. Staff recommends approval of the request.

Mr. Matheny said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the east side of Pleasant Ridge Road from RS-40 to CD-LI, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the

Industrial/Corporate Park land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it promotes a healthy, diversified economy with a strong tax base and opportunities for employment; and it ensures that land use policies and regulations allow for an adequate supply of land to accommodate economic development. Mr. Gilmer seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

G. AN ORDINANCE REZONING FROM GENERAL BUSINESS TO CENTRAL BUSINESS – FOR A PORTION OF THE PROPERTY LOCATED AT THE NORTHWEST QUADRANT OF WEST SMITH STREET AND SIMPSON STREET – FOR SUSAN L. HUNT. (APPROVED)

Mr. Woody presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Susan Hunt, Esq., 501 Simpson Street, presented a handout for the Commission's consideration. They have met with the Fisher Park Neighborhood Association to run it by them. They had no opposition. She also sent a letter out to all of the recipients of the City's letter. When she purchased this property, she was approached by the Quaintence family who stated they would like to put their family residence on the other portion of her property. She said she would love to have them as her neighbors. That is why they are here today trying to get the property rezoned from GB to CB. She received two responses to her letter in support of the rezoning, which are contained within her handout.

Dennis Quaintence, 412-C Fisher Park Circle, said his family wanted to live there and Ms. Hunt could not subdivide it unless it is rezoned.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said there were numerous aspects of our Comp Plan that support this type of request, sound investment in the urban areas, compact development, diverse uses, mixed income neighborhoods and the like. The Comp Plan GFLUM shows Mixed Use Central Business district on this location. The CB request is the most common and popular way of meeting that requirement. They have had a number of requests to add to the CB district zoning in the last year or two. Staff has generally supported those. They certainly have a strong design context here with some historic buildings on this site and adjoining, but they have no reason to believe that the proposed development would not be compatible and an attractive addition to the area as well. However, they have been saying on these other requests that they would prefer to see conditions attached and we do not have them here. However, staff does support approval of the request.

Mr. Gilmer said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located at the northwest quadrant of West Smith Street and Simpson Street from GB to CB, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Mixed Use Central Business land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it promotes sound investment in Greensboro's urban areas, including Center City (Reinvestment/Infill Goal); and it promotes diversification of downtown Greensboro. Mr. Matheny seconded the motion. The Commission voted unanimously 8-0 in favor of the motion (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

H. AN ORDINANCE REZONING FROM RS-12 RESIDENTIAL SINGLE FAMILY TO RS-5 RESIDENTIAL SINGLE FAMILY – FOR A PORTION OF THE PROPERTY LOCATED ON THE WEST SIDE OF IRWIN STREET OPPOSITE THE INTERSECTION WITH SHARON AVENUE – FOR DAVID R. CAUDLE. (RECOMMENDED)

Mr. Woody presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Larry Pearman, Esq., 5405 West Friendly Avenue, said he was here on behalf of the petitioner. The two houses on the property are under foreclosure and need repair. The rezoning to RS-5 will allow them to be repaired. It will basically not be changing the aesthetics of the neighborhood, it is not changing anything at all. No additional services will be required. It will be taking a non-conforming use and trying to make it conform, not only to help these two banks but also to help the City of Greensboro so that people will purchase the houses, repair them and live in them.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said as noted, this is an unusual situation. It is a very small site with no new proposed development, but it will simply add a lot line to make the two properties legal, conforming lots. As such, there is virtually no impact on the surrounding area. It is just trying to make a current situation legal. He noted for the record that this area is a mixture of low and some moderate residential uses. Staff is studying whether possibly any changes to the Comp Plan for moderate residential makes sense for some portions of this area and will bring forth some amendments later this year. However, they certainly think the merits of the current situation introduce no new impacts on the surrounding area and staff recommends approval of the request.

Mr. Schneider said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the west side of Irwin Street from RS-12 to RS-7, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is consistent with meeting the needs for a choice of decent, affordable housing in stable neighborhoods; and it improves and maintenance of existing housing stock and it just makes sense so we can improve these properties. Mr. Wright seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

I. AN ORDINANCE REZONING FROM RM-18 RESIDENTIAL MULTIFAMILY TO CONDITIONAL DISTRICT – RM-26 RESIDENTIAL MULTIFAMILY WITH THE FOLLOWING CONDITIONS: 1) THERE SHALL BE NO MORE THAN 24 RESIDENTIAL MULTIFAMILY UNITS ON THE SUBJECT PROPERTY. 2) THE EXTERIOR OF THE RESIDENTIAL MULTIFAMILY BUILDINGS SHALL BE PRIMARILY BRICK.- FOR A PORTION OF THE PROPERTY LOCATED AT THE NORTHEAST AND SOUTHEAST QUADRANTS OF GRANITE STREET AND SHERWOOD STREET – FOR SHARPE HOLDINGS, LLC. (APPROVED)

Mr. Woody presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Derek Allen, Esq., 230 North Elm Street, represented the applicant. The applicant, Mr. Sharpe, does student housing. As our universities continue to grow, there is a demand for student housing. The model he has done both at UNCG and A&T consists of 12 unit, brick buildings. On this property near the UNCG campus, they can get two 11.5 unit brick buildings. They have no plans for an 11.5 unit brick building, but do have a plan for a 12 unit brick building. They are .032 acre short so they are almost there. They put in the conditions that reflect the reality of what Mr. Sharpe builds. The units are affordable for the students, attractive for the neighborhood, fits with the community, close to the university, and a good deal for the students. The building will have three stories.

Speaking in opposition was Dorothy Wilson who owned the property at 1718 Sherwood Street. It looks like to her that they are going to close the street. She asked if that was correct?

Mr. Ruska said the zoning has to cover public street rights-of-ways. That does not mean the street is going to be closed.

Ms. Wilson said that was her only concern.

Chair Wolf closed the public hearing.

Mr. Hails said the Comp Plan shows mixed use residential in this area. You clearly have that. It is an important area for a mixture of housing types. Both UNCG and A&T are expanding the population and it is important for our community to be able to absorb off-campus housing needs in a reasonable fashion. City Council expressed some concern about the RM-26 zone in recent months and they are feeling that it only should go into highest density sorts of areas. However, you heard from the testimony that this is really an RM-18 request with a half a unit spillover and staff thinks it is so close to the existing zoning that it really does not kick in the RM-26 issues that we have heard some concerns about in the past. Staff thinks it is reasonably compatible with the surrounding area and will meet some of the needs. Comp Plan policies on diverse housing types and mixed income neighborhoods are also relevant here. Staff supports recommendation of the request.

Mr. Matheny said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located at Granite Street and Sherwood Street from RS-18 to CD-RM.26, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Mixed Use Residential land use category for this site on the Connections 2025 Generalized Future Land Use Map; it promotes mixed-income neighborhoods; and it promotes the diversification of new housing stock to met the needs of all citizens for suitable housing. Mr. Gilmer seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

ITEMS FROM THE PLANNING DEPARTMENT:

A. PRESENTATION ON MIXED USE DEVELOPMENT

Mr. Hails said staff would opt to give this presentation at the Commission's July meeting.

ITEMS FROM THE ZONING COMMISSION MEMBERS:

Ms. Shipman said that staff had really done a great job. Today the Commission approved everything that came in front of them. The Commission members agree with staff. She said that means that

staff has done its homework and it is good that they can work together like this because they make the citizens of Greensboro proud.

Mr. Gilmer thanked Mr. Hails and Mr. Ruska for sending our friendlier maps. He did not know how the other Commissioners feel about it, but it really helps having cross-reference on streets so if they get lost they can find themselves again. He hoped these were being passed on to the Planning Board and the other boards.

ACKNOWLEDGMENT OF ABSENCES:

The absence of Commissioner Miller was acknowledged.

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There being no further business before the Commission, the meeting was adjourned at 4:03 p.m.

Respectfully submitted,

Richard W. Hails, AICP
Planning Director

RWH/jd.ps